

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

KRYSTAL MEGAN DELIMA

PLAINTIFF

VS.

CASE NO. 5:17-cv-05244-TLB

WAL-MART STORES ARKANSAS, LLC

DEFENDANT

**DEFENDANT’S RESPONSE TO PLAINTIFF’S MOTION TO SUPPRESS
ALL PARTS OF KRYSTAL MEGAN DELIMA DEPOSITION TRANSCRIPT**

Defendant Wal-Mart Stores Arkansas, LLC (“Walmart”), by and through its attorneys, Mitchell, Williams, Selig, Gates & Woodyard, P.L.L.C., submits the following Response to Plaintiff’s Motion to Suppress All Parts of Krystal Megan Delima Deposition Transcript (“Response”):

1. On October 18, 2018, Defendant took Plaintiff’s deposition.
2. On October 29, 2018, Walmart filed its Motion for Summary Judgment (“MSJ”), and attached excerpts from Plaintiff’s deposition in support of Walmart’s MSJ.
3. On December 11, 2018, Plaintiff filed her Motion to Suppress All Parts of Krystal Megan Delima Deposition Transcript (“Motion”).
4. Because the Court permitted Plaintiff to videotape her deposition and Plaintiff was able to compare the videotape with the transcript and submit an errata sheet, any irregularities during Plaintiff’s deposition were harmless.
5. For these reasons, which are set forth in more detail in Walmart’s Brief in Support of its Response, the Court should deny Plaintiff’s Motion.

Respectfully submitted,

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I, Karen P. Freeman, certify that the above pleading was electronically filed with the Clerk of the Court and the following person was served a true and correct copy of the above pleading, via email and U.S. Mail, postage prepaid, on December 19, 2018:

Krystal Megan Delima
54985 County Road 586
Kansas, Oklahoma 74347

By: /s/ Karen P. Freeman

Karen P. Freeman